

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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THE C.I.A. CONSTRUCTION GROUP CORP.,

11-CV-0468 (BMC)

Plaintiff,

- against -

NOTICE OF MOTION  
TO VACATE JURY AWARD  
AND/OR FOR A NEW TRIAL

WESTCHESTER FIRE INSURANCE COMPANY,

Defendant.

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WESTCHESTER FIRE INSURANCE COMPANY,

Defendant/Third-Party Plaintiff,

- against -

L-C CONSTRUCTION CONSULTING CORPORATION,

Third-Party Defendant.

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PLEASE TAKE NOTICE THAT upon the annexed certification of Frank W. Brennan, Esq., sworn to on the 26th day of June 2012, together with the exhibits referenced and annexed to this motion, and upon all of the pleadings and proceedings heretofore had herein, plaintiff, C.I.A. Construction Group Corporation ("C.I.A."), will move this Court at the United States Courthouse located at 225 Cadman Plaza East, Brooklyn, New York 11201, on the \_\_\_\_\_, \_\_\_\_\_ 2012 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to Rule 59 of the Federal Rules of Civil Procedure, vacating and/or modifying the jury's award of \$32,693.43 third-

party defendant L-C Construction Consulting Corporation or, alternatively granting plaintiff, C.I.A., a new trial.

Pursuant to Rule 59(c) of the Federal Rules of Civil Procedure plaintiff, C.I.A., requests time and leave of this Court to serve reply to any opposition filed and served by any party to this action.

Dated: Mineola, New York  
June 26, 2012

s/  
Frank W. Brennan, Esq.  
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